

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOSEPH ARCHAMBAULT,

Plaintiff

v.

LIBERTY LIFE ASSURANCE COMPANY OF
BOSTON

Defendant

Civil Action No. 05-11762-NG

DECLARATION OF GUY P. TULLY

Guy P. Tully, on oath, deposes and says as follows:

1. I am counsel of record for Defendant Liberty Life Assurance Company of Boston in this matter.
2. Under the current pre-trial schedule, dispositive motions in this matter were due to be served by August 18, 2006.
3. On August 18, 2006, Plaintiff filed a motion for summary judgment. In support of that motion, Plaintiff submitted a memorandum of law that is 48 pages long.
4. On August 18, 2006, Defendant filed a motion for summary judgment. In support of its motion, Defendant filed a memorandum of law that was 20 pages long, in accordance with Local Rule 7.1(B)(4). (Id.)
5. Prior to filing his motion and supporting memorandum, Plaintiff did not obtain leave of Court to file a memorandum of such length.
6. Local Rule 7.1(B)(4) states that, "[m]emoranda supporting or opposing allowance of motions shall not, without leave of court, exceed twenty (20) pages, double

spaced."

7. Plaintiff's memorandum filed on August 18, 2006, does not comply with Local Rule 7.1(B)(4).

Signed under the pains and penalties of perjury this 22nd day of August, 2006.

/s/ Guy P. Tully
Guy P. Tully

CERTIFICATE OF SERVICE

I hereby certify that on August 22, 2006, a copy of the foregoing was served by electronic mail and through the ECF system on Plaintiff's counsel.

/s/ Guy P. Tully
Jackson Lewis LLP